

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:18-CT-3055-D

DONALD R. SHIPLEY, JR.,

Plaintiff,

v.

DR. ALTON ANDERSON, et al.,

Defendants.


ORDER

On April 22, 2019, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M&R”) and recommended that the court allow Donald R. Shipley, Jr. (“Shipley”) to proceed with his Fourteenth Amendment claims for deliberate indifference to a serious medical need, but dismiss the Brunswick County Detention Center as a defendant [D.E. 11]. Shipley did not object to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted). The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 11].

In sum, the court ADOPTS the conclusions in the M&R [D.E. 11], DISMISSES any claim against the Brunswick County Detention Center, and DIRECTS the United States Marshal Service to make service on defendants Anderson and Jewel pursuant to 28 U.S.C. § 1915(d).

SO ORDERED. This 21 day of May 2019.



JAMES C. DEVER III
United States District Judge